Report to: Chair and Members Public Works Committee
Submitted by: Scott Stewart, C.E.T.
General Manager
Public Works Department
Date: April 16, 2007
Prepared by: Rich Shebib
Extension 3909

SUBJECT: Temporary Closure of Hess Street from George Street to King Street for Street Festivals (PW07064) - (Ward 2)

RECOMMENDATION:

(a) That the applications to close Hess Street South between George Street and King Street to hold festivals be for the following days and time periods:

(i) Friday, June 22\textsuperscript{nd} at 9:00 a.m. to Sunday, June 24\textsuperscript{th} at 9:00 a.m.
(ii) Wednesday, July 11\textsuperscript{th} at 9:00 a.m. to Sunday, July 15\textsuperscript{th} at 9:00 a.m.
(iii) Friday, August 17\textsuperscript{th} at 9:00 a.m. to Sunday, August 19\textsuperscript{th} at 9:00 a.m.

(b) That approval of these closures be subject to the following conditions:

(i) That the prior approval of the Chief of Police or his designate is received, and that such permits or authorizations that may be required by the Chief of Police or his designate are obtained;

(ii) That the applicant provide proof of $5,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss. The certificate for all events must be provided to the City of Hamilton prior to the first event;

(iii) That all barricading, detour signing and traffic control be subject to the direction and satisfaction of the General Manager of Public Works, or his designate with all costs to be the responsibility of the applicant;

(iv) That warning boards be installed in advance by the Public Works Department, on the affected roadways at the cost of the applicant;

(v) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works at the expense of the event organizer;

(vi) That no property owner or resident within the barricaded area be denied access to their property upon request;

(vii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager of Public Works;
(viii) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by Diana Vranich, located at 366 King Street West, to serve alcohol on the road allowance of Hess Street South on Friday, June 22, 2007 to Saturday, June 23, 2007; and Wednesday, July 11, 2007 to Saturday, July 14, 2007; and Friday, August 17, 2007 to Saturday, August 18, 2007 from 12:00 noon to 12:00 a.m. each day;
(ix) That the applicants be granted an amendment to the City of Hamilton’s Noise By-law No. 79-292 to allow music to be played between the hours of 11:00 a.m. to 12:00 midnight on June 22-23, 2007, on July 13-14, 2007, and on August 17-18, 2007, and that a Licensing & Standards Officer monitor the event and be in attendance if necessary, at the expense of the applicant;
(x) That no other music be played outside of any establishments within the closure area at any time, pursuant to the City of Hamilton Zoning By-law, including live music and outdoor speakers;
(xi) That the applicant pay the required full road closure permit fee of $503.88 per event made payable to “The City of Hamilton” prior to road closures;

Scott Stewart, C.E.T.
General Manager
Public Works

**EXECUTIVE SUMMARY:**

Applications have been received to close Hess Street South between George Street and King Street to hold three festivals. The closure requests conform to the Policy for Hess Village Special Events, namely two weekend closures, one consecutive five day closure, and all events will occur in different months.

**BACKGROUND:**

The information/recommendations contained within this report primarily affects Ward 2. Applications have been received from The Gown and Gavel to close Hess Street South between George Street and King Street to hold events on Hess Street South road allowance for the following time periods (includes set-up and take down time):

- Mardi Gras Festival - Friday, June 22nd at 9:00 am to Sunday, June 24th at 9:00 am
- Jazz Festival - Wednesday, July 11th at 9:00 am to Sunday, July 15th at 9:00 am
- Rock Festival - Friday, August 17th at 9:00 am to Sunday, August 19th at 9:00 am

Council policy regarding special events in Hess Village allows for two weekend closures and one five day event to occur with each event occurring in a different month. Three applications have been received for 2007, and all conform to the policy.
As these are well attended festivals which have taken place for several years, and as the applicants have signed agreements to adhere to all City policies regarding festivals in Hess Village, this Department supports the applications.

**ANALYSIS/RATIONALE:**

N/A

**ALTERNATIVES FOR CONSIDERATION:**

Alternatively, Council may elect to deny the application for temporary road closure; however staff does not support this alternative as similar events within this closure area have been successfully operated in the past.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The applicant is required to pay the $503.88 road closure permit fee per event. The applicant is also required to ensure all 2006 outstanding invoices relating to Special Events in Hess Village are paid in full.

**POLICIES AFFECTING PROPOSAL:**

The City has a policy for delegated authority for short term road closures. The policy states that delegated authority is given for events from previous years as long as: the event takes place in the same location as the previous year, the event does not exceed a one day duration, and no alcohol will be served as part of the event. This event does not conform to the policy as alcohol will be served.

Adherence to City policy regarding special events in Hess Village, adopted by City Council on December 11, 2002, is a condition of approval of the applications and the applicants have signed statements agreeing to this. City Noise Control By-law 79-292, as amended for these events, will be in effect.

**RELEVANT CONSULTATION:**

Ward Councillor, Hamilton Police Services, and the Special Event Advisory Team.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

- Community Well-Being is enhanced. ☐ Yes ☑ No
- Arts, culture, archeologically and cultural heritage are supported and enhanced.

- Environmental Well-Being is enhanced. ☐ Yes ☑ No
- Economic Well-Being is enhanced. ☑ Yes ☐ No

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No
TEMPORARY CLOSURE:
Hess Street South
George to King

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

ROAD CLOSURE LIMITS:

NOT TO SCALE  2007-04-30

REFERENCE FILE NO:  PW07064